

REMARKS:

The Office Action dated July 26, 2006 has been received and carefully reviewed. The preceding amendments and the following remarks form a full and complete response thereto. Withdrawn claims 1-7 and 9 are cancelled without prejudice or disclaimer. The Specification and Claim 8 were amended as to matters of form only. No new matter has been added. Accordingly, claim 8 remains pending in the application and is submitted for reconsideration.

Claim 8 was rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claim 8 was also rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The specification has been amended to spell out the term MEA as "membrane electrode assembly." One skilled in the art would have readily understood the term MEA to mean "membrane electrode assembly" and thus, no new matter is added. Further, clearly one skilled in the art would have recognized that the inventors had possession of the invention based upon the disclosure including the originally filed claims.

Claim 8 has been amended to more positively recite structure.

Applicants submit that claim 8 complies with the requirements of 35 U.S.C. § 112 and requests that the rejections be withdrawn.

In view of the above, all objections and rejections have been sufficiently addressed. Applicants submit that the application is now in condition for allowance and requests that claim 8 be allowed and this application passed to issue.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

By



Brian A. Tollefson
Attorney for Applicant
Registration No. 46,338
ROTHWELL, FIGG, ERNST & MANBECK
1425 K. Street, Suite 800
Washington, D.C. 20005
Telephone: (202) 783-6040